

In re: Khayrallah et al.  
Serial No. 09/800,143  
Filed: March 6, 2001  
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### REMARKS

Applicants appreciate the Ex Parte Quayle Action (hereinafter "Action") of January 6, 2006. In particular, Applicants appreciate the Examiner's indication that the application is in condition for allowance except for formal matters. See Action, page 2. Applicants further appreciate the Examiner's detailed review of the claims before allowance. While most of the Examiner's requested changes are incorporated by the amendments above, Applicants believe some of the requested changes are not appropriate. Accordingly, each of the points on which the above amendments do not incorporate the Examiner's suggestions will be addressed below.

With respect to Claims 4, 26 and 29, the Action requests changing "ones of" with "each of" and "ones" with "one." Action, p. 2-4. Applicants submit such amendments are neither required nor appropriate. In particular, "each" may be interpreted as requiring everyone of the frequency hopping modes to include the following characteristic as opposed to subsets of the plurality of frequency hopping modes. In addition, with respect to replacing "ones" with "one" in, for example, line 15 of Claim 4, Applicants submit such a change would make the claim less clear. In particular, a single frequency hopping mode may define more than one transmission frequency for use in different ones of the transmission windows. Applicants submit that, given this perspective, the suggested revision makes the claim less clear. Accordingly, Claims 4, 26, 29 are not amended above to incorporate these suggested changes.

With respect to Claims 12, 34 and 45, the Action asks "what does it mean by 'has one as the associated number'?" See Action, page 3. Applicants have amended Claims 12, 34 and 45 to recite "wherein one of the candidate frequency hopping modes has one as the associated number of transmission frequencies to provide no frequency hopping" to clarify the meaning of "has one as the associated number." In other words, one of the candidate frequency hopping modes only has one designated transmission frequency. In this mode (where the associated number of transmission frequencies is one), there is no change in transmission frequency because, by definition, if there is only one associated transmission frequency, the frequency cannot "hop" from one frequency to another.

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Furthermore, the Action asserts that portions of Claims 12, 34 and 45 are internally inconsistent. *See* Action, page 3. Applicants have amended Claims 12, 34 and 45 to remove the recitation "for use in frequency hopping." Thus, Claims 12, 34 and 45 now recite, in part:

...each of the plurality of candidate frequency hopping modes having an associated number of transmission frequencies [[for use in frequency hopping]] wherein one of the candidate frequency hopping modes has one as the associated number of transmission frequencies to provide no frequency hopping;

Accordingly, Applicants respectfully submit that amended Claims 12, 34 and 45 are internally consistent and, therefore, request withdrawal of the objections with respect thereto for at least the reasons discussed herein.

With respect to Claims 26, 34 and 35, the Action asks for clarification regarding the claimed system and the recited communication system. Applicants note the system is not the system as the communication system, albeit the claimed system would likely be incorporated in a communication system as a component thereof. Accordingly, the claims have not been amended responsive to this objection.

With respect to Claim 43, in light of the deletion of the recitations at the end of the claim, the requested insertion of "communication" has not been made as the affected portion of the claim has been deleted.

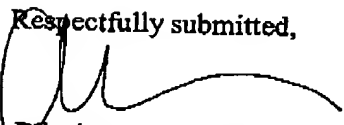
With respect to Claim 45, line 8, the Action requests that "a" be replaced by "the." Applicants submit that such a change would not be correct as this location, for Claim 45, is the first occurrence of "a plurality of candidate frequency hopping modes." Accordingly, this change is not incorporated in the above amendment to Claim 45.

### CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance, which is respectfully requested in due course. Applicants encourage the Examiner to contact the undersigned by telephone to address any remaining issues.

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